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REMARKS

The Examiner has rejected Claims 1-40 under 35 U.S.C. 102(e) as being anticipated by Hypponen (U.S. Patent Application No. 2004/0083384). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to each of the independent claims. Specifically, applicant has substantially incorporated the subject matter of Claims 2-4 et al., at least in part, into each of the independent claims.

Applicant specifically notes that the Examiner has simply reiterated the arguments made in the last Office Action dated 12/16/2004 without specifically responding to applicant's arguments and claim amendments made in the Amendment dated 3/17/2005. Applicant respectfully asserts that merely relying on the original rejections made in the Office Action dated 12/16/2004 does not even address all of applicant's present claim language.

In particular, the Examiner has failed to even address applicant's claimed "a status daemon periodically communicating operational data from each wireless device to the network operations center, said operational data being in the form of a report on status and health of the wireless device...a network operations center supervising the provisioning of the content security services to each wireless device and maintaining a master catalog of the applications and further maintaining a configured wireless devices list reflecting the status of each wireless device based on the operational data; and a configuration client managing a configuration of each wireless device by consulting the master catalog and the configured wireless devices list and downloading the applications to each wireless device as required to maintain each wireless device in a most-up-to-date configuration" (see the same or similar, but not identical language in each of the independent claims-emphasis added). Thus, a notice of allowance or a specific prior art showing of such claim language is respectfully requested.

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In addition, with respect to independent Claims 1 and 12, the Examiner has relied on paragraphs [0025]-[0027] in Hypponen to make a prior art showing of applicant's claimed "network operations center supervising the provisioning of the content security services to each wireless device and maintaining a master catalog of the applications and further maintaining a configured wireless devices list reflecting the status of each wireless device based on the operational data; and a configuration client managing a configuration of each wireless device by consulting the master catalog and the configured wireless devices list and downloading the applications to each wireless device as required to maintain each wireless device in a most-up-to-date configuration" (see the same or similar, but not necessarily identical language in each of the foregoing claims).

Applicant respectfully asserts that such excerpts only disclose a "Management Centre" through which an operator "is able to send SMS messages and data to devices." Simply nowhere does Hypponen even suggest any sort of "network operations center... maintaining a master catalog of the applications and further maintaining a configured wireless devices list reflecting the status of each wireless device based on the operational data," as applicant claims (emphasis added). Applicant notes that the Examiner has stated that applicant's claimed "master catalog" reads on a database. Applicant emphasizes, however, that what is claimed is a master catalog of the applications, whereas Hypponen only discloses a virus signature database (see Abstract).

With respect to independent Claims 24 and 32, the Examiner has relied on paragraph [0024] in Hypponen to make a prior art showing of applicant's claimed "centralized database comprising catalogs of configuration information for the wireless devices" (see the same or similar, but not necessarily identical language in each of the independent claims). Applicant respectfully asserts that such excerpt only generally discloses a Public Land Mobile Network. Simply nowhere does Hypponen even suggest any sort of "centralized database comprising catalogs of configuration information for the wireless devices," as applicant claims (emphasis added).

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Still with respect to independent Claims 24 and 32, the Examiner has relied on paragraphs [0033]-[0035] in Hypponen to make a prior art showing of applicant's claimed "a network operations center...automatically periodically receiving a status report from each wireless device by means of a status daemon, each status report providing status information comprising machine-specific data and application-specific information" (see the same or similar, but not necessarily identical language in each of the foregoing independent claims). Applicant respectfully asserts that such excerpts only teach management messages that are passed from the Management Server to the devices. Clearly, such messages do not meet applicant's claimed "receiving a status report from each wireless device by means of a status daemon," as applicant claims, let alone where "each status report provid[es] status information comprising machine-specific data and application-specific information," as specifically claimed (emphasis added).

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Hypponen reference, as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially incorporated the subject matter of Claims 2-4 et al., at least in part, into each of the independent claims.

With respect to the subject matter of dependent Claims 2 and 3 et al., at least substantially incorporated into each of the independent claims, the Examiner has relied on paragraphs [0033]-[0035] in Hypponen to make a prior art showing of applicant's claimed techniques "wherein said status daemon periodically pushes the operational data from each wireless device to the network operations center" (Claim 2 et al.-see the same

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or similar, but not identical language presently incorporated into each of the independent claims) and “wherein said status daemon pulls the operational data from each wireless device to the network operations center on-demand” (Claim 3 et al.-see the same or similar, but not identical language presently incorporated into each of the independent claims). Applicant respectfully asserts that such excerpts only relate to messages that are sent from the Management Server to the mobile devices. Clearly, such does not even suggest a “status daemon [that] periodically pushes the operational data from each wireless device to the network operations center,” as applicant claims (emphasis added).

With respect to the subject matter of Claim 4 et al., at least substantially incorporated into each of the independent claims, the Examiner has relied on paragraph [0017] in Hypponen to make a prior art showing of applicant’s claimed “reporting module creating at least one of an informational report and a statistics report from the operational data” (see the same or similar, but not necessarily identical language presently incorporated into each of the independent claims). Applicant respectfully asserts that such excerpt from Hypponen does not even suggest any sort of reports created from data received from the device, in the specific context claimed by applicant, but instead merely discloses management messages relating to database or anti-virus application changes that are sent to the device for updating purposes.

Since the Hypponen reference fails to teach or suggest all of applicant’s claim language, as noted above, a notice of allowance or a specific prior art showing of each of the foregoing claimed features, in combination with the remaining claimed features, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The

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Commissioner is authorized to charge any additional fees or credit any overpayment to  
Deposit Account No. 50-1351 (Order No. NAIIP385/01.161.01).

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